

Committee Room,  
Austin, Texas, September 26, 1933.  
Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: Your Committee on Engrossed  
Bills, to whom was referred,

H. B. No. 28, A bill to be entitled  
"An Act to amend Article 1970-125,  
of the Revised Civil Statutes of  
Texas, 1925, providing for the elec-  
tion of a Special Judge of the County  
Court of Jefferson County at Law;  
providing for the compensation for  
such Special Judge, and declaring an  
emergency,"

Have carefully compared same, and  
finds it correctly engrossed.

TOWNSEND, Acting Chairman.

### TENTH DAY

(Wednesday, September 27, 1933)

The House met at 10 o'clock a. m.,  
pursuant to adjournment, and was  
called to order by Speaker Stevenson.

The roll was called, and the follow-  
ing Members were present:

Mr. Speaker.	Dwyer.
Adamson.	Engelhard.
Aikin.	Fain.
Alexander.	Few.
Alsup.	Fisher.
Anderson.	Ford.
Baker.	Fuchs.
Barrett.	Glass.
Barron.	Golson.
Beck.	Good.
Bedford.	Goodman.
Bourne.	Graves.
Bradley.	Greathouse.
Burns.	Griffith.
Butler.	Hankamer.
Calvert.	Harris.
Camp.	Hartzog.
Canon.	Head.
Cathey.	Hester.
Caven.	Hicks.
Celaya.	Hill of Brazoria.
Chastain.	Hill of Webb.
Clayton.	Hodges.
Colson.	Holekamp.
Coombes.	Holland.
Cowley.	Holloway.
Crossley.	Hoskins.
Daniel.	Huddleston.
Davidson.	Hughes.
Dean.	Hunt.
Devall.	Hyder.
Dunlap.	Jackson.
Dunagan.	James.
Duvall.	Jefferson.

Johnson	Ray.
of Anderson.	Reed of Bowie.
Jones of Atascosa.	Reed of Dallas.
Jones of Runnels.	Renfro.
Jones of Shelby.	Riddle.
Kyle of Hays.	Roberts.
Kyle of Palo Pinto.	Rogers of Hunt.
Laird.	Rogers
Latham.	of Ochiltree.
Lemens.	Rollins.
Leonard.	Ross.
Lindsey.	Russell.
Long.	Savage.
Lotief.	Scarborough.
Mackay.	Scott.
Magee.	Shannon.
Mathis.	Shults.
McClain.	Stanfield.
McCullough.	Steward.
McGregor.	Stinson.
McKee.	Stovall.
Merritt.	Stubbeman.
Metcalf.	Sullivant.
Mitcham.	Tarwater.
Moffett.	Tennyson.
Moore.	Thomas.
Morrison.	Tillery.
Morse.	Townsend.
Munson.	Turlington.
Nicholson.	Van Zandt.
Palmer.	Vaughan.
Parkhouse.	Wagstaff.
Patterson.	Walker.
Pavlica.	Weinert.
Pope.	Wells.
Puryear.	Winningham.
Ramsey.	Wood.
Ratliff.	Young.

### Absent

Harrison.	Smith.
-----------	--------

### Absent—Excused

Harman.	Kayton.
Johnson	McDougald.
of Dimmit.	Reader.

A quorum was announced present.

Prayer was offered by Rev. Geo.  
W. Coltrin, Chaplain.

### HOUSE BILLS ON FIRST READING

The following House bills, intro-  
duced today, were laid before the  
House, read severally first time, and  
referred to the appropriate commit-  
tees, as follows:

By Mr. Dean and Mr. Metcalfe:

H. B. No. 39, A bill to be entitled  
"An Act to validate all ad valorem

tax levies heretofore made by incorporated cities and towns in the State of Texas which levies are unenforceable because of the failure of the governing bodies of such respective incorporated cities and towns to make such levy or levies by ordinance, and which are unenforceable because of the failure of such governing bodies to appoint the statutory board of equalization, and where the city council, city commission, or other governing body of such incorporated city or town have acted as a board of equalization in the fixing of the valuation of taxable property for ad valorem taxes within any such incorporated city or town; etc., and declaring an emergency."

Referred to Committee on Municipal and Private Corporations.

By Mrs. Hughes, Mr. Metcalfe, and Mr. Stinson:

H. B. No. 40, A bill to be entitled "An Act releasing penalties and interest on ad valorem and poll taxes that were delinquent on or before July 1, 1933, due the State and certain subdivisions of the State, provided same are voluntarily paid on or before December 31, 1933, together with 2 per cent penalty, or on or before March 31, 1934, together with 4 per cent penalty, or on or before June 30, 1934, together with 6 per cent penalty; providing that Section 1 hereof shall not apply to delinquent taxes due to cities, towns, villages, special school districts, or independent school districts unless and until the governing body of such subdivision shall adopt the provisions hereof by resolution or ordinance; providing that nothing in Section 1 of this Act shall be construed as postponing, delaying, or extending the time for the payment of delinquent taxes covered by this Act, nor as prohibiting, postponing, or delaying the filing or prosecution of tax suits; defining the term 'voluntarily paid' as same is used herein; etc., and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Parkhouse et al.:

H. B. No. 41, A bill to be entitled "An Act amending Article 2529, Chapter 1, Title 47, Revised Civil Statutes of 1925, as amended by Chap-

ter 57, First Called Session, Fortieth Legislature, as further amended by Chapter 124, General Laws, Regular Session, Forty-first Legislature, and as further amended by Senate Bill No. 551, Chapter 240, General Laws, Regular Session, Forty-third Legislature, to authorize the State Depository Board to accept warrants drawn against the General Revenue Fund of the State as collateral to secure deposits made by the State in State depositories; etc., and declaring an emergency."

Referred to Committee on Banks and Banking.

By Mr. Lotief, Mr. Hester, and Mr. Winningham:

H. B. No. 42, A bill to be entitled "An Act to amend the Acts of 1931, Forty-second Legislature, Regular Session, page 111, Chapter 73, by providing for the payment of occupation tax by producers of natural gas for light and fuel; and providing who shall be subject to the provisions hereof; providing for forms and records to be kept by producers and marketers of natural gas, the manner and method of keeping such records or produce same upon demand; etc., and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Fain and Mr. Tarwater:

H. B. No. 43, A bill to be entitled "An Act declaring the policy of the Legislature to provide for the general welfare by co-operating with the Federal Government in making effective the provisions of the National Agricultural Adjustment Act and the National Recovery Act within the State of Texas with reference to producers, distributors, and processors of milk and milk products; defining certain terms used in the bill; providing for application to the Commissioner of Agriculture by groups engaged in the milk industry for the setting up of a code, codes or agreements; authorizing or directing the Commissioner of Agriculture, after hearing, to set up and promulgate a code, codes, or agreements for fair competition for the milk industry; authorizing the Commissioner to impose such conditions as are necessary to make the codes effective and to establish rules and regulations for their

conduct; providing penalties for violation of such codes; etc., and declaring an emergency."

Referred to Committee on Agriculture.

By Mr. Wagstaff, Mr. Townsend, et al:

H. B. No. 44, A bill to be entitled "An Act changing the name of the Texas Canyon State Park to Big Bend State Park; providing for the lands to constitute said park; withdrawing certain additional State school lands in Brewster County, Texas, from sale; transferring and conveying said lands to the State of Texas for park purposes; reserving all minerals to the Public School Fund; valuing said lands, and making an appropriation out of the General Revenue for payment of the Permanent School Fund of Texas for consideration of such transfer; etc., and declaring an emergency."

Referred to Committee on Public Lands and Buildings.

By Mr. Pope et al:

H. B. No. 45, A bill to be entitled "An Act validating and legalizing the creation of navigation districts heretofore created under authority of Section 52, Article III, of the Constitution of Texas, and which have thereafter been converted into navigation districts under Section 59, of Article XVI, of the Constitution, and as provided by Section 1, of Chapter 103, Acts of the Forty-first Legislature, 1929, First Called Session; etc., and declaring an emergency."

Referred to Committee on Conservation and Reclamation.

#### SPECIAL ORDER SET

Mr. McGregor moved that House Bill No. 12 be set as a special order for 10:15 o'clock a. m., tomorrow.

Mr. Burns moved, as a substitute motion, that House Bill No. 12 be set as a special order for 10:15 o'clock a. m., next Friday.

Mr. McGregor accepted the substitute motion.

Question recurring on the substitute motion, it was adopted.

#### COMMITTEE IN REGARD TO QUESTIONNAIRE FOR MEMBERS

The Speaker announced the appointment of the following committee in compliance with a resolution by Mr. Adamson, heretofore adopted, in regard to certain questionnaire for Members of the House: Messrs. Adamson, Coombes, Lotief, Scott, and Walker.

#### RELATIVE TO TRANSPORTATION OF OIL

Mr. Johnson of Anderson offered the following resolution:

H. C. R. No. 16, Relative to the transportation of oil.

Whereas, The National Administration is now and has been for some time in a great war against depression; and

Whereas, Said Administration is endeavoring to give employment to the greatest number possible where it will be most helpful; and

Whereas, The employes of the railroads of our Country have constituted a great army and the real backbone of the forces for better living conditions for the laboring people; and

Whereas, Due to the change in transportation facilities, thousands of these men throughout the country, especially in Texas, have been thrown out of work after having spent a lifetime in training for this special service; now, therefore, be it

Resolved by the House of Representatives of the State of Texas, the Senate concurring, That Hon. Harold L. Ickes, Administrator, and Hon. James A. Moffett, Hon. Donald R. Richberg, and Hon. M. L. Benedum, Directors for the Administration on the Planning and Co-ordination Committee for the Petroleum Industry, be requested to divert a proportionate part of the allowable oil produced in the State of Texas from the pipe lines as common carriers to the railroads as common carriers, so that these thousands of railroad men now out of employment may be put back to work in the transportation of the railroad's proportionate part of the oil hauled out of Texas; be it further

Resolved, That the Chief Clerk of the House of Representatives be instructed to telegraph a copy of this

resolution to the President of the United States, Hon. Franklin D. Roosevelt, and to the Administrator and Directors aforementioned for the Co-ordination Committee.

JOHNSON of Anderson,  
CATHEY.

The resolution was read second time.

Mr. Alsup offered the following amendment to the resolution:

Amend resolution by striking out word "telegraph," wherever it appears, and insert the word "mail."

Mr. Roberts moved that the resolution be referred to the Committee on Common Carriers.

Mr. Metcalfe moved that the resolution be referred to the Committee on Oil, Gas, and Mining.

Mr. Roberts accepted the substitute motion.

The motion as substituted was then adopted.

#### RELATIVE TO HOUSE BILL NO. 18

By unanimous consent of the House, the Engrossing Clerk was ordered to amend the caption of House Bill No. 18 to conform to the body of the bill.

#### RELATIVE TO CERTAIN PROVISIONS OF RURAL AID BILL

Mr. Alexander offered the following resolution:

H. C. R. No. 17, Relative to certain provisions of rural aid bill.

Whereas, At the Regular Session of the Forty-third Legislature there was passed House Bill No. 256, commonly known as the Rural Aid Appropriation Bill, and designed to foster education in rural districts; and

Whereas, Section 9, of the appropriation bill, provided for classification of schools by the county school board; and

Whereas, There has been much confusion concerning the authority of the State Superintendent of Public Instruction, the State Board of Education, their agents or representatives, to supersede the authority of the county board of trustees, and to re-classify schools after they have already been classified by such county board; and

Whereas, This confusion and uncertainty of construction tends to dimin-

ish the value of the Rural Aid Appropriation Bill; now, therefore, be it

Resolved by the House of Representatives of the Forty-third Legislature, First Called Session, the Senate concurring, That it be, and is hereby, declared to be the legislative intent that the county school board of trustees shall have supreme authority in the classification of schools within the respective counties, and it is hereby declared that it was the intention of the Legislature at the time House Bill No. 256 was passed and still is the intention of the Legislature that Section 9, of House Bill No. 256, means, and shall be construed to mean, that the county board of trustees has sole and supreme authority to classify schools within the counties, and no agent or representative of any other person or body shall by any construction of this Act have any authority to alter, change, or amend the classification as provided for by the various county boards of trustees; be it further

Resolved, That should any doubt exist with reference to any other section or provision of this Act, that it was, and is declared to be, the legislative intent that in all cases of such doubt the authority of the county school board shall be taken as superior to the authority of any State agent; be it further

Resolved, That copies of this resolution be furnished to the State Superintendent of Public Instruction, with instructions that he notify the State Board of Education and all State educational employes as to the content of this resolution.

Signed—Alexander, Puryear, Scott, Tarwater, Alsup, Lotief, Glass, Dunagan, Walker, Merritt, Ratliff, Mitcham.

The resolution was read second time.

Mr. Head moved that the resolution be referred to the Committee on Education.

Mr. Long raised a point of order on further consideration of the resolution at this time, on the ground that it seeks to interpret the law.

The Speaker overruled the point of order.

Question then recurring on the motion by Mr. Head, that the resolution be referred to the Committee on Education, it prevailed.

## MESSAGE FROM THE SENATE

Senate Chamber,  
Austin, Texas, September 27, 1933.  
Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. B. No. 28, A bill to be entitled "An Act to amend Article 1970-125, of the Revised Civil Statutes of Texas, 1925, providing for the election of a Special Judge of the County Court of Jefferson County at Law; providing for the compensation for such Special Judge, and declaring an emergency."

H. B. No. 30, A bill to be entitled "An Act to provide a pension fund for firemen, policemen, and fire alarm operators, in all incorporated cities and towns containing more than two hundred forty thousand (240,000) inhabitants and less than two hundred seventy-five thousand (275,000) inhabitants, according to the last preceding Federal Census; providing for the creation of a board of trustees for the disbursement of said pension fund; directing the manner of disbursing said pension fund, and declaring an emergency."

S. B. No. 4, A bill to be entitled "An Act providing for the transfer of the lien for taxes that the State, county, or defined subdivision thereof has upon any real property; providing by whom and under what conditions such transfer may be made; providing for the recording of such transfer, and the effect of such record; providing for paying by lienholder to person paying such taxes the taxes, cost, and interest, and receiving transfer to himself of the tax lien; providing for foreclosure of lien and sale and disposition of proceeds of sale; providing for redemptions from foreclosure sale, providing this Act shall not abridge the right of taxpayer to enter into contract with lienholders for payment of taxes, nor affect existing contracts; providing that if any provision of this Act is declared invalid or unconstitutional, it shall not affect any other provision of this Act, and declaring an emergency."

Respectfully,  
BOB BARKER,  
Secretary of the Senate.

## BILLS SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and the captions had been read severally, the following enrolled bills:

H. B. No. 28, "An Act to amend Article 1970-125, of the Revised Civil Statutes of Texas, 1925, providing for the election of a Special Judge of the County Court of Jefferson County at Law; providing for the compensation for such Special Judge, and declaring an emergency."

H. B. No. 30, "An Act to provide a pension fund for firemen, policemen, and fire alarm operators, in all incorporated cities and towns containing more than two hundred forty thousand (240,000) inhabitants and less than two hundred seventy-five thousand (275,000) inhabitants, according to the last preceding Federal Census; providing for the creation of a board of trustees for the disbursement of said pension fund; directing the manner of disbursing said pension fund, and declaring an emergency."

## SENATE BILL ON FIRST READING

The following Senate bill, received from the Senate today, was laid before the House, read first time, and referred to the appropriate committee, as follows:

Senate Bill No. 4, to the Committee on Judiciary.

PROVIDING FOR THE INVESTIGATION OF CERTAIN LIFE INSURANCE COMPANY

The Speaker laid before the House, as pending business, for consideration at this time, resolution offered on yesterday by Mr. Good, which resolution provides for the investigation of a certain life insurance company;

The resolution having been read second time on yesterday.

Mr. Greathouse moved that the resolution be referred to the Committee on Insurance.

Mr. Moffett moved the previous question on the pending motion and the resolution, and the motion was not seconded.

Mr. Good moved to table the motion to refer the resolution to the Committee on Insurance.

The motion to table was lost.

Question then recurring on the motion to refer the resolution, it prevailed.

## BILL ORDERED NOT PRINTED

(By Unanimous Consent)

On motion of Mr. Pope, House Bill No. 38 was ordered not printed.

## RECESS

Mr. Moffett moved that the House recess to 2 o'clock p. m., today.

Mr. Mathis moved that the House adjourn until 10 o'clock a. m., tomorrow.

Question first recurring on the motion to adjourn, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—38

Anderson.	Johnson
Beck.	of Anderson.
Burns.	Jones of Runnels.
Caven.	Kyle of Hays.
Davidson.	Lemens.
Dunagan.	Mackay.
Dwyer.	Mathis.
Engelhard.	McGregor.
Few.	Moore.
Fuchs.	Morse.
Golson.	Munson.
Goodman.	Ratliff.
Griffith.	Reed of Bowie.
Hankamer.	Reed of Dallas.
Hill of Brazoria.	Russell.
Hill of Webb.	Scarborough.
Holland.	Shannon.
Hughes.	Stanfield.
James.	Thomas.
	Wells.

Nays—76

Adamson.	Cowley.
Aikin.	Crossley.
Alexander.	Dean.
Alsup.	Fain.
Baker.	Fisher.
Barron.	Ford.
Bourne.	Glass.
Bradley.	Good.
Butler.	Graves.
Camp.	Greathouse.
Canon.	Harris.
Cathey.	Hartzog.
Chastain.	Head.
Clayton.	Hicks.
Coombes.	Hodges.

Holekamp.	Roberts.
Holloway.	Rogers of Hunt.
Hoskins.	Rogers
Huddleston.	of Ochiltree.
Hunt.	Rollins.
Jones of Atascosa.	Ross.
Jones of Shelby.	Savage.
Laird.	Scott.
Latham.	Shults.
Leonard.	Stinson.
Long.	Stovall.
Lotief.	Stubbeman.
Magee.	Sullivant.
McClain.	Tarwater.
Merritt.	Tennyson.
Metcalfe.	Tillery.
Mitcham.	Townsend.
Moffett.	Turlington.
Morrison.	Vaughan.
Pope.	Wagstaff.
Puryear.	Walker.
Ray.	Wood.
Renfro.	Young.
Riddle.	

## Absent

Barrett.	Lindsey.
Bedford.	McCullough.
Calvert.	McKee.
Celaya.	Nicholson.
Colson.	Palmer.
Daniel.	Parkhouse.
Devall.	Patterson.
Dunlap.	Pavlica.
Duvall.	Ramsey.
Harrison.	Smith.
Hester.	Steward.
Hyder.	Van Zandt.
Jackson.	Weinert.
Jefferson.	Winningham.
Kyle of Palo Pinto.	

## Absent—Excused

Harman.	Kayton.
Johnson	McDougald.
of Dimmit.	Reader.

Question then recurring on the motion that the House recess to 2 o'clock p. m., today, it prevailed.

The House, accordingly, at 12:10 o'clock p. m., took recess to 2 o'clock p. m., today.

## AFTERNOON SESSION

The House met at 2 o'clock p. m., and was called to order by the Speaker.

## MESSAGES FROM THE GOVERNOR

The Speaker laid before the House, and had read, the following messages from the Governor:

Executive Office,  
Austin, Texas, September 27, 1933.  
To the Forty-third Legislature in  
First Called Session:

By request of the majority of the House and Senate, I submit for your consideration a bill hereto attached, to be entitled "An Act providing for the creation of discharged convicts revolving fund; amending Article 6166-m, as passed by the Fortieth Legislature."

Respectfully submitted,  
MIRIAM A. FERGUSON,  
Governor of Texas.

Executive Office,  
Austin, Texas, September 27, 1933.  
To the Forty-third Legislature in  
First Called Session:

By request of Representative Savage, I hereby submit for your consideration a bill hereto attached, to be entitled "An Act requiring, in certain instances after twenty years, and other instances after seven years, and in other instances after a stipulated period, individuals, corporations, and associations holding deposits of money and unclaimed property to report same to the Comptroller."

Respectfully submitted,  
MIRIAM A. FERGUSON,  
Governor of Texas.

Executive Office,  
Austin, Texas, September 27, 1933.  
To the Forty-third Legislature in  
First Called Session:

By request of the majority of the Senate, I hereby submit for your consideration a bill to be entitled "An Act authorizing the State Comptroller of Public Accounts to prescribe and prepare forms to be used in all counties in the collection and disbursement of revenues, funds, and fees, and other moneys."

Respectfully submitted,  
MIRIAM A. FERGUSON,  
Governor of Texas.

Executive Office,  
Austin, Texas, September 27, 1933.  
To the Forty-third Legislature in  
First Called Session:

By request of Representative Dunlap, I herewith submit for your consideration a bill hereto attached, to be entitled "An Act donating and granting State ad valorem taxes collected upon property in Kenedy County, including county's apportioned tax

on railroad rolling stock, to the County of Willacy; requiring reports to be made to the Comptroller by the Tax Collector of Kenedy County."

Respectfully submitted,  
MIRIAM A. FERGUSON,  
Governor of Texas.

Executive Office,  
Austin, Texas, September 27, 1933.  
To the Forty-third Legislature in  
First Called Session:

By request of Senator Parr and Representative Pope, I submit herewith for your consideration a bill hereto attached, to be entitled "An Act to amend Article 2938, of the Revised Civil Statutes of Texas, 1925, relating to the appointment of election judges and clerks in election precincts where there are one hundred citizens, or more, who have paid their poll tax or received their certificates of exemption; providing that the presiding judge appointed shall in all cases belong to the party that at the last general election cast the largest vote for Governor throughout the State."

Respectfully submitted,  
MIRIAM A. FERGUSON,  
Governor of Texas.

Executive Office,  
Austin, Texas, September 27, 1933.  
To the Forty-third Legislature in  
First Called Session:

By request of Senator Parr, I submit for your consideration a bill hereto attached, to be entitled "An Act to restore and confer upon the County Court of Duval County the civil and criminal jurisdiction belonging to said Court under the Constitution and general statutes of Texas, and to define the jurisdiction of said Court."

Respectfully submitted,  
MIRIAM A. FERGUSON,  
Governor of Texas.

Executive Office,  
Austin, Texas, September 27, 1933.  
To the Forty-third Legislature in  
First Called Session:

By request of a majority of the House, I herewith submit for your consideration a bill hereto attached, to be entitled "An Act authorizing navigation districts, created, organized, and existing in this State under and by virtue of Section 59, of Article XVI, of the Constitution of this State, and the laws passed in pursuance

thereof, to acquire, purchase, take over, construct, and develop regular wharves, docks, and warehouses located at the ports or waterways in any navigation district."

Respectfully submitted,  
MIRIAM A. FERGUSON,  
Governor of Texas.

Executive Office,  
Austin, Texas, September 27, 1933.  
To the Forty-third Legislature in  
First Called Session:

By request of a majority of the House and Senate, I herewith submit as emergency legislation for your consideration a bill to be entitled "An Act declaring the public policy of the State with respect to the insurance of deposits in State banks and State bank and trust companies, as well as the passage of such legislation necessary to bring about the protection of depositors in State banks and trust companies."

Respectfully submitted,  
MIRIAM A. FERGUSON,  
Governor of Texas.

Executive Office,  
Austin, Texas, September 27, 1933.  
To the Forty-third Legislature in  
First Called Session:

By request of a majority of the House, I submit for your consideration a bill hereto attached, which has for its purpose the reduction of fees on small farm trucks where said trucks are used by the owner for his own use in hauling his own products to market and not for hire.

Respectfully submitted,  
MIRIAM A. FERGUSON,  
Governor of Texas.

Executive Office,  
Austin, Texas, September 26, 1933.  
To the Forty-third Legislature in  
First Called Session:

By request of a majority of the House, I submit herewith for your consideration a bill hereto attached, to be entitled "An Act amending Article 6032, Revised Civil Statutes of 1925, as amended by Chapter 26, Acts, Forty-second Legislature, First Called Session, and by Chapter 162, Acts, Forty-third Legislature, imposing a tax of one-tenth of one cent per barrel on crude petroleum oil."

Respectfully submitted,  
MIRIAM A. FERGUSON,  
Governor of Texas.

Executive Office,  
Austin, Texas, September 26, 1933.  
To the Forty-third Legislature in  
First Called Session:

By request of a majority of the House, I herewith submit for your consideration a bill hereto attached, to be entitled "An Act amending Subsection (4) and Subsection (5), of Section 2 and Section 9, Chapter 162, House Bill No. 154, Acts of the Forty-third Legislature, Regular Session, providing for monthly payment of tax."

Respectfully submitted,  
MIRIAM A. FERGUSON,  
Governor of Texas.

Executive Office,  
Austin, Texas, September 27, 1933.  
To the Forty-third Legislature in  
First Called Session:

I herewith submit for your consideration a Senate concurrent resolution hereto attached, permitting Frank Tiner or his heirs, executors, or administrators to bring suit against the State Highway Department.

Respectfully submitted,  
MIRIAM A. FERGUSON,  
Governor of Texas.

Executive Office,  
Austin, Texas, September 27, 1933.  
To the Forty-third Legislature in  
First Called Session:

By request, I herewith submit for your consideration a bill to be entitled "An Act to make it unlawful to take, hunt, trap, shoot, or kill any wild quail of any species for a period of five years in Gaines County, Texas."

Respectfully submitted,  
MIRIAM A. FERGUSON,  
Governor of Texas.

Executive Office,  
Austin, Texas, September 26, 1933.  
To the Forty-third Legislature in  
First Called Session:

By request of a majority of the House, I hereby submit for your consideration a bill hereto attached, to be entitled "An Act fixing the compensation of county commissioners in every county having a population of not less than 24,233 nor more than 24,333."

Respectfully submitted,  
MIRIAM A. FERGUSON,  
Governor of Texas.



Executive Office,  
Austin, Texas, September 26, 1933.  
To the Forty-third Legislature in  
First Called Session:

By request of Representative Scarborough, I hereby submit for your consideration a bill hereto attached, to be entitled "An Act permitting the taking of pelts of fur-bearing animals for the purpose of sale in Jasper and Newton Counties during the months of December and January."

Respectfully submitted,  
MIRIAM A. FERGUSON,  
Governor of Texas.

Executive Office,  
Austin, Texas, September 27, 1933.  
To the Forty-third Legislature in  
First Called Session:

By request of the State Superintendent and Senator Greer, I submit for your consideration a bill hereto attached, to be entitled "An Act making an appropriation for the preparation, checking, investigation, and correction of the scholastic census, to the State Department of Education, etc."

Respectfully submitted,  
MIRIAM A. FERGUSON,  
Governor of Texas.

Executive Office,  
Austin, Texas, September 26, 1933.  
To the Forty-third Legislature in  
First Called Session:

By request of a majority of the House, I hereby submit for your consideration a bill hereto attached, to be entitled "An Act amending Article 5517, Revised Civil Statutes of 1925, providing for limitation of ten years on delinquent taxes."

Respectfully submitted,  
MIRIAM A. FERGUSON,  
Governor of Texas.

Executive Office,  
Austin, Texas, September 26, 1933.  
To the Forty-third Legislature in  
First Called Session:

By request of Senator Parr, I hereby submit for your consideration a bill hereto attached, amending Section 79 of Article 199, Title 8, of the Revised Civil Statutes of 1925, creating the Seventy-ninth Judicial District of Texas, as amended by the Acts of the Regular Session of the Forty-second Legislature, page 876, Chapter 370, Section 1, so as to change the terms

of and time of holding the terms of district court in Starr, Brooks, Duval, and Jim Wells Counties.

Respectfully submitted,  
MIRIAM A. FERGUSON,  
Governor of Texas.

Executive Office,  
Austin, Texas, September 26, 1933.  
To the Forty-third Legislature in  
First Called Session:

By request of a majority of the House, I herewith submit for your consideration a bill hereto attached, to be entitled "An Act to prohibit the trapping or hunting with guns of wild foxes . . . in Upshur County."

Respectfully submitted,  
MIRIAM A. FERGUSON,  
Governor of Texas.

Executive Office,  
Austin, Texas, September 27, 1933.  
To the Forty-third Legislature in  
First Called Session:

By request of the Senate, I herewith submit for your consideration a bill hereto attached, to be entitled "An Act amending Article 7256, of the 1925 Revised Civil Statutes of Texas, providing for the appointment of a deputy tax collector in certain counties."

Respectfully submitted,  
MIRIAM A. FERGUSON,  
Governor of Texas.

Executive Office,  
Austin, Texas, September 27, 1933.  
To the Forty-third Legislature in  
First Called Session:

By request of Senator Martin, I herewith submit for your consideration a bill hereto attached, to be entitled "An Act authorizing the Texas Prison Board to employ a supervising steward or stewardess; prescribing the duties of such steward or stewardess, etc."

Respectfully submitted,  
MIRIAM A. FERGUSON,  
Governor of Texas.

Executive Office,  
Austin, Texas, September 27, 1933.  
To the Forty-third Legislature in  
First Called Session:

By request of Representative Duval, I hereby submit for your consideration a bill hereto attached, designed to regulate travel bureaus and transportation agencies engaged in

the business of obtaining co-travelers to share the expense of trips in motor vehicles. The subject of the regulation of any other transportation agencies than those mentioned in the attached bill is not submitted for your consideration.

Respectfully submitted,  
MIRIAM A. FERGUSON,  
Governor of Texas.

Executive Office,  
Austin, Texas, September 27, 1933.  
To the Forty-third Legislature in  
First Called Session:

By request of Representative Renfro and a majority of the House and Senate, I herewith submit for your consideration a bill hereto attached, to be entitled "An Act to prohibit the sale or lease of a machine gun or submachine gun in the State of Texas."

Respectfully submitted,  
MIRIAM A. FERGUSON,  
Governor of Texas.

Executive Office,  
Austin, Texas, September 27, 1933.  
To the Forty-third Legislature in  
First Called Session:

By request of a majority of the House, I herewith submit for your consideration a bill hereto attached, to be entitled "An Act to provide for payment of the salary of the ex-officio superintendent of public instruction in all counties having not less than three thousand and not more than three thousand one hundred population."

Respectfully submitted,  
MIRIAM A. FERGUSON,  
Governor of Texas.

Executive Office,  
Austin, Texas, September 27, 1933.  
To the Forty-third Legislature in  
First Called Session:

By request of the State Treasurer, I herewith submit for your consideration a bill hereto attached, to be entitled "An Act making appropriation for the purpose of providing postage, insurance, stamps, and other expenses necessary in performing the duties required of the State Treasurer." I enclose the Treasurer's letter for your information.

Respectfully submitted,  
MIRIAM A. FERGUSON,  
Governor of Texas.

Executive Office,  
Austin, Texas, September 27, 1933.  
To the Forty-third Legislature in  
First Called Session:

At the request of Senator Neal and other Members of the Senate, I hereby submit for your consideration a bill hereto attached, to be entitled "An Act amending Senate Bill No. 86, Acts of the First Called Session of the Forty-first Legislature, by authorizing the receiving of gifts and donations for rehabilitation work, said gifts and donations to be deposited in the State Treasury, subject to the matching of same with Federal funds to a limited amount, and declaring an emergency."

Respectfully submitted,  
MIRIAM A. FERGUSON,  
Governor of Texas.

Executive Office,  
Austin, Texas, September 27, 1933.  
To the Forty-third Legislature in  
First Called Session:

By request of a majority of the House, I submit for your consideration a bill hereto attached, to be entitled "An Act amending Article 1366, Article 1367, Article 1368, Article 1369, Article 1370, and Article 1371, all of Chapter 5, Title 32, of the Revised Civil Statutes, 1925, by adding new Sections, to be known, respectively, as Articles 1366-a to 1371-a"; the purpose of said bill being fully set forth in the bill hereto attached.

Respectfully submitted,  
MIRIAM A. FERGUSON,  
Governor of Texas.

Executive Office,  
Austin, Texas, September 27, 1933.  
To the Forty-third Legislature in  
First Called Session:

By request of Representatives Nicholson, McDougald, and McKee, and other Members of the House, I herewith submit for your consideration a bill hereto attached, to be entitled "An Act authorizing navigation districts, without the voting of bonds or levying of taxes, to acquire, purchase, take over, construct, enlarge, extend, repair, maintain, operate, or develop wharves, docks, warehouses, grain elevators, bunkering facilities, belt railroads, floating plants and facilities, lightering, barges, towing facilities, and all other facilities or aids incident to, or necessary toward, the operation or development of ports or

waterways within such districts, and to borrow money therefor from the Federal Emergency Administration of Public Works."

Respectfully submitted,  
MIRIAM A. FERGUSON,  
Governor of Texas.

Executive Office,  
Austin, Texas, September 27, 1933.

To the Forty-third Legislature in  
First Called Session:

By request of Representatives Nicholson, McDougald, and McKee, and other Members of the House, I herewith submit for your consideration a bill hereto attached, to be entitled "An Act to provide for the sale by the State to the City of Port Arthur, Texas, a municipal corporation, and its assigns, a certain tract or area of land situated in Jefferson County, Texas, . . . , and declaring an emergency."

Respectfully submitted,  
MIRIAM A. FERGUSON,  
Governor of Texas.

Executive Office,  
Austin, Texas, September 27, 1933.

To the Forty-third Legislature in  
First Called Session:

By request of Senators Redditt and Cousins, and other Members of the Senate, I hereby submit for your consideration a bill hereto attached, to be entitled "An Act creating 'Lower Neches Valley Authority,' a conservation and reclamation district under and with the powers provided in Section 59, Article XVI, of the Constitution, to conserve, control, and utilize storm and flood waters of the Neches River and its tributaries, except said district shall have no power of taxation, nor right to create any debt payable out of taxation; defining the boundaries thereof . . . , and declaring an emergency."

Respectfully submitted,  
MIRIAM A. FERGUSON,  
Governor of Texas.

#### HOUSE BILLS ON FIRST READING

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Burns et al:

H. B. No. 46, A bill to be entitled "An Act providing for the creation of discharged convicts revolving fund, amending Article 6166-m, as passed by the Fortieth Legislature, 1927, Chapter 212, Section 14, providing for the payment of money into said fund by the State Treasurer out of monies remitted to him by the General Manager of the State Prison System; providing for reports of the condition of the discharged convicts revolving fund by the depositories, and declaring an emergency."

Referred to Committee on Penitentiaries.

By Mr. Savage:

H. B. No. 47, A bill to be entitled "An Act requiring in certain instances after twenty years, in other instances after seven years, and in other instances after stipulated periods, individuals, companies, corporations, and associations holding certain unclaimed deposits of money and certain unclaimed property for storage or safe-keeping, or otherwise, and companies, corporations, and associations holding certain unclaimed dividends, profits, debts, and interest on debts, and requiring certain county and district court officials holding funds in trust paid in under order of the court, to report annually, under oath, such unclaimed deposits of money, property, dividends, profits, debts, and interest on debts so held to the Comptroller of Public Accounts; setting forth the requirements of such reports, and providing penalties for false reports and for failure to report; requiring the Comptroller of Public Accounts to keep an index of the contents of said reports; etc., and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Dunlap:

H. B. No. 48, A bill to be entitled "An Act donating and granting State ad valorem taxes collected upon property in Kenedy County, including County's apportioned tax on railroad rolling stock, to the County of Willacy; requiring reports to be made to the Comptroller by the Tax Collector of Kenedy County, and providing for compensation to said collector for such reports; requiring the Treasurer of Willacy County to make certain reports to the Comptroller of Public Accounts; requiring the Commission-

ers Court of Willacy County to make reports annually to the Comptroller; requiring an audit to be made of expenditures by the commissioners court; etc., and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Pope:

H. B. No. 49, A bill to be entitled "An Act to amend Article 2938 of the Revised Civil Statutes of Texas, 1925, relating to the appointment of election judges and clerks in election precincts where there are one hundred citizens, or more, who have paid their poll tax or received their certificates of exemption; providing that the presiding judge appointed shall in all cases belong to the party that at the last general election cast the largest vote for Governor throughout the State, and declaring an emergency."

Referred to Committee on Privileges, Suffrage, and Elections.

By Mr. Hill of Brazoria and Mr. Celaya:

H. B. No. 50, A bill to be entitled "An Act authorizing navigation districts created, organized, and existing in this State under and by virtue of Section 59, of Article XVI, of the Constitution of this State, and the laws passed in pursuance thereof, to acquire, purchase, take over, construct, own, maintain, operate, develop and regulate wharves, docks, warehouses, grain elevators, bunkering facilities, belt railroads, floating plants, light-erage, lands, towing facilities, and all other facilities or aids incident to or necessary to the operation or development of ports or waterways within the navigation district and extending to the Gulf of Mexico, and to rent and lease such facilities to others, and to borrow money for such purposes, and to issue bonds, notes, or other evidence of indebtedness, and to encumber such properties and the income thereof to secure the payment of money so borrowed; etc., and declaring an emergency."

Referred to Committee on Conservation and Reclamation.

By Mr. Patterson et al.:

H. B. No. 51, A bill to be entitled "An Act declaring the public policy of the State with respect to the insurance of deposits in State banks and

State bank and trust companies; creating the "bank deposit insurance company" as a means of carrying out that policy; defining the powers, duties, and privileges of said corporation; etc., and declaring an emergency."

Referred to Committee on Banks and Banking.

By Mr. Thomas:

H. B. No. 52, A bill to be entitled "An Act to make it unlawful to take, hunt, trap, shoot, or kill, any wild quail of any species for a period of five (5) years in Gaines County, Texas; fixing penalty, and declaring an emergency."

Referred to Committee on Game and Fisheries.

By Mr. Moffett et al.:

H. B. No. 53, A bill to be entitled "An Act to amend Section 6, Chapter 88, of the General Laws of the Forty-first Legislature, Second Called Session, by adding thereto, Section 6-a, so as to reduce registration license fees on commercial motor vehicles, without trailers or semi-trailers, when same are used exclusively by the owner thereof in the transportation of his poultry, dairy, live stock, and farm products, grown or produced by him, to market or to other points for processing, and for the transportation of supplies by the owner of such commercial motor vehicle from place of purchase, to his own farm or ranch for his exclusive use; prescribing penalties for violation thereof, and declaring an emergency."

Referred to Committee on Highways and Motor Traffic.

By Mr. Harman et al.:

H. B. No. 54, A bill to be entitled "An Act amending Article 6032, Revised Civil Statutes of 1925, as amended by Chapter 26, Acts of the Forty-second Legislature, First Called Session, and by Chapter 162, Acts of the Forty-third Legislature, imposing a tax of one-tenth of one cent per barrel on crude petroleum oil; appropriating the proceeds of such tax to the Railroad Commission of Texas to be used in carrying out its duties in connection with the conservation laws of this State relating to oil and gas; providing for the employment of supervisors, assistants, and other em-

ployes by the Commission and for the payment of their salaries, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Harman et al.:

H. B. No. 55, A bill to be entitled "An Act amending Subsection 4 and Subsection 5, of Section 2 and Section 9, Chapter 162, House Bill No. 154, Acts of the Forty-third Legislature, Regular Session, providing for monthly payment of tax levied, and prescribing the date upon which tax shall be paid, by whom it shall be paid; providing that if said tax is withheld by the purchaser and said purchaser fails to make payment of said tax to the State that the producer may have legal action against the purchaser by reason of such failure, and providing for attorney's fee; etc., and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Lindsey et al.:

H. B. No. 56, A bill to be entitled "An Act fixing the compensation of county commissioners in every county having a population of not less than 24,233 nor more than 24,333, according to the last preceding United States Census, and prescribing how same shall be paid; providing that such shall be the salary of said commissioners so long as the taxable values in the county shall exceed the sum of ten million dollars for the next preceding year; fixing said salary when said taxable values are less than said sum, and declaring an emergency."

Referred to Committee on Counties.

By Mr. Scarborough:

H. B. No. 57, A bill to be entitled "An Act permitting the taking of pelts of fur-bearing animals for the purpose of sale in Jasper and Newton Counties during the months of December and January; making it unlawful to take such pelts or to employ a steel trap for taking any fur-bearing animal during any other months than December and January; providing a penalty; repealing all laws and parts of laws in conflict with this Act, and declaring an emergency."

Referred to Committee on Game and Fisheries.

By Mr. Weinert et al.:

H. B. No. 58, A bill to be entitled "An Act amending Article 5517, Revised Civil Statutes, providing for limitation of ten years on delinquent taxes, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Dunagan et al.:

H. B. No. 59, A bill to be entitled "An Act to prohibit the trapping or hunting with guns of wild foxes, or having in possession the pelts thereof in Upshur County; providing a penalty; providing that farmers or poultry raisers may kill such foxes while in the act of actually destroying chickens or other poultry or farm animals; repealing all laws or parts of laws in conflict herewith, and declaring an emergency."

Referred to Committee on Game and Fisheries.

By Mr. Pope:

H. B. No. 60, A bill to be entitled "An Act amending Section 79, of Article 199, Title 8, of the Revised Civil Statutes of 1925, creating the Seventy-ninth Judicial District of Texas, as amended by the Acts of the Regular Session of the Forty-second Legislature, page 876, Chapter 370, Section 1, so as to change the terms of and time of holding the terms of district court in Starr, Brooks, Duval, and Jim Wells Counties, Texas; validating and continuing all processes and writs issued or served before this Act takes effect, including recognizances and bonds, and making them returnable to the next terms of court in said counties and district as herein fixed; etc., and declaring an emergency."

Referred to Committee on Judicial Districts.

By Mr. Johnson of Dimmit et al.:

H. B. No. 61, A bill to be entitled "An Act reducing the cost of redeeming land sold for taxes, and reducing the cost of enforcing tax liens, and releasing taxes more than ten (10) years past due, and providing for a practical and efficient enforcement of all present and future delinquent tax liens, and making provision for the administrative method of enforcement of tax liens of county and State and cities and towns and districts, and all subdivisions of government with taxing powers, where

taxes are unpaid and delinquent on real property, and eliminating the foreclosure thereof by suits in court; and providing for notice, advertisement, sale, execution, and delivery of deed to collector, effect of deed, defenses, redemption, fees, costs, disposition of pending suits, quieting titles; etc., and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Weinert:

H. B. No. 62, A bill to be entitled "An Act fixing the seasonal bag limit on wild deer during the open season in Comal County, for a period of one (1) year from and after the passage of this Act; providing a penalty; repealing all laws or parts of laws in conflict herewith, and declaring an emergency."

Referred to Committee on Game and Fisheries.

By Mr. Duvall:

H. B. No. 63, A bill to be entitled "An Act to regulate the business of transporting persons for hire or for compensation over the public roads, highways, or bridges of the State of Texas, whether as a common carrier, contract, or charter carrier, or as a transportation agency or travel bureau for obtaining a co-traveler or co-travelers to share the expense of a trip or to act as an intermediary in connection therewith as a broker for hire, agent, or otherwise, whereby the expense of a trip or trips is to be shared, or to solicit, induce, or encourage another to purchase an interest in a motor vehicle in violation of this Act unless the person, driver, or chauffeur in charge of the motor vehicle shall first comply with the laws of this State in connection with the obtaining of proper licenses; etc., and declaring an emergency."

Referred to Committee on Common Carriers.

By Mr. Renfro et al.:

H. B. No. 64, A bill to be entitled "An Act to prohibit the sale or lease of a machine gun or submachine gun, and defining same, or the barter, exchange, or trade of same to any person, except he be the Adjutant General of the State of Texas, the duly qualified and commissioned sheriff of a county, a duly qualified and commissioned constable of a

county, or a duly qualified and commissioned chief of police of any municipality within the State; prescribing a penalty for the violation thereof, and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. Lemens et al.:

H. B. No. 65, A bill to be entitled "An Act to provide for payment of the salary of the ex-officio superintendent of public instruction in all counties having not less than three thousand (3,000) and not more than three thousand one hundred (3,100) population, according to the last preceding Federal Census, from the county available school fund; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Referred to Committee on Education.

By Mr. Hankamer et al.:

H. B. No. 66, A bill to be entitled "An Act amending Article 1366, Article 1367, Article 1368, Article 1369, Article 1370, and Article 1371, all of Chapter 5, Title 32, of the Revised Civil Statutes, 1925, by adding new sections, to be known, respectively, as Article 1366-a, Article 1367-a, Article 1368-a, Article 1369-a, Article 1370-a, and Article 1371-a; requiring every foreign corporation doing business in Texas to maintain a complete set of books, accounts, records, minutes, letters, memoranda, documents, checks, vouchers, telegrams, constitution, and by-laws touching or concerning any and all business done by such foreign corporation in Texas; etc., and declaring an emergency."

Referred to Committee on Municipal and Private Corporations.

By Mr. Burns, Mr. McClain, Mr. Butler, Mr. Colson, and Mr. Palmer:

H. B. No. 67, A bill to be entitled "An Act amending Section or Subsection 12, of Article 199, of the Revised Civil Statutes of 1925, as amended in 1931; and changing the times of holding the terms of the district courts in the Twelfth Judicial District of Texas; and changing the length of terms of the district courts of certain of the counties in said judicial districts; and enacting necessary provisions with reference to processes, writs, bonds, recognizances, and with reference to grand petit ju-

rors made necessary by the changes made by this Act, and validating and legalizing the same; providing that this Act shall take effect January 1, 1934, and declaring an emergency."

Referred to Committee on Judicial Districts.

By Mr. Hoskins and Mr. Baker:

H. B. No. 68, A bill to be entitled "An Act making it unlawful for any person to hunt, trap, kill, or attempt to kill by any means whatsoever, any wild turkey, wild chachalaca, or Mexican pheasant in the Counties of Guadalupe, Comal, Gonzales, and Wilson for a period of five (5) years; providing a penalty; repealing all laws or parts of laws in conflict herewith, and declaring an emergency."

Referred to Committee on Game and Fisheries.

By Mr. Russell:

H. B. No. 69, A bill to be entitled "An Act providing for a resident angler's license, and who is required to obtain same; fixing the fees to be paid for such license and the fee to be retained by the officer issuing same; providing suitable penalties for the violation of this Act; providing for remittance of license fees and fines to the Game, Fish, and Oyster Commission for deposit in the State Treasury to the credit of the Special Game Fund; providing for the use of such moneys; declaring the rule of construction, and declaring an emergency."

Referred to Committee on Game and Fisheries.

By Mr. Calvert:

H. B. No. 70, A bill to be entitled "An Act amending Article 904, Penal Code, State of Texas, 1925, providing for a resident hunting license and a non-resident hunting license, and who is required to obtain same; excepting citizens of this State under the age of 17 years; fixing the fees to be paid for such licenses, the fee to be retained by the officer issuing such licenses; providing suitable penalties for violation of this Act; repealing all conflicting laws; declaring the rule of construction, and declaring an emergency."

Referred to Committee on Game and Fisheries.

By Mr. Moore and Mr. Duvall:

H. B. No. 71, A bill to be entitled "An Act amending Article 7047, of the Revised Civil Statutes, 1925, by repealing House Bill No. 102, as passed by the Forty-first Legislature, Second Called Session, 1929, and approved by the Governor of Texas, June 24, 1929; and repealing Senate Bill No. 127, regulating and providing for supervision of emigrant agents, passed by the Forty-first Legislature, Second Called Session, 1929, and effective without the Governor's signature, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Nicholson, Mr. McDougald, Mr. Mathis, Mr. Pope, Mr. Celaya, Mr. Hill of Brazoria et al.:

H. B. No. 72, A bill to be entitled "An Act authorizing navigation districts without the voting of bonds or levying of taxes to acquire, purchase, take over, construct, enlarge, extend, repair, maintain, operate, or develop wharves, docks, warehouses, grain elevators, bunkering facilities, belt railroads, floating plants and facilities, lightering, barges, towing facilities, and all other facilities, or aids incident to or necessary toward the operation or development of ports or waterways within such districts, and to borrow money therefor from the Federal Emergency Administration of Public Works, or other department or agency of the United States Government, and to mortgage and encumber any part or all of such properties, plants, etc., and declaring an emergency."

Referred to Committee on Conservation and Reclamation.

By Mr. Nicholson et al.:

H. B. No. 73, A bill to be entitled "An Act to provide for the sale by the State to the City of Port Arthur, Texas, a municipal corporation, and its assigns, a certain tract or area of land situated in Jefferson County, Texas, same being submerged lands constituting a part of the bed of Sabine Lake, retaining to the State all minerals therein, and declaring an emergency."

Referred to Committee on Conservation and Reclamation.

By Mr. Nicholson et al.:

H. B. No. 74, A bill to be entitled "An Act creating 'Lower Neches

Valley Authority,' a conservation and reclamation district under and with the powers provided in Section 59, of Article XVI, of the Constitution, to conserve, control, and utilize storm and flood waters of the Neches River and its tributaries, except said district shall have no power of taxation nor right to create any debt payable out of taxation; defining the boundaries thereof, providing for control through board of directors, their appointment, qualifications, and tenure, their organization and powers; authorizing the storing, controlling, conservation, and distribution of storm and flood waters of the Neches River and its tributaries, within and or without such district, for irrigation, domestic, industrial, and municipal uses, and also for hydro-electric power, with authority to make contracts with water users, and to establish and collect maintenance and operation charges for water service, etc., and declaring an emergency."

Referred to Committee on Conservation and Reclamation.

#### BILL ORDERED NOT PRINTED

(By Unanimous Consent)

On motion of Mr. Pope, House Bill No. 45 was ordered not printed.

#### HOUSE BILL NO. 10 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 10, A bill to be entitled "An Act amending Title 126, Revised Civil Statutes, 1925, and Title 19, of the Penal Code of Texas, by adding a new article to each of said titles, to be known as Article 7438-a, Revised Civil Statutes of 1925, and Article 1644-a, Penal Code of Texas, so as to provide for and authorize an additional defense in all suits, actions, or prosecutions under said titles; and providing that such defense shall not be available in any pending cause or in any cause of action, whether sued upon or not, for any act, trade practice, or agreement committed, performed, or attempted to be performed prior to the adoption and approval of any code, trade practice, license, or agreement legally approved, performed, or issued

under the terms of the National Industrial Recovery Act; and providing for the additional remedy of injunction by the State for violations of the provisions of such titles in addition to all other penalties now provided by law; and providing for the duration and termination of this Act, and declaring an emergency."

The bill was read second time.

Mr. Vaughan offered the following committee amendment to the bill:

Amend House Bill No. 10 by striking out all below the enacting clause, and inserting in lieu thereof the following:

"Section 1. In all suits, actions, or prosecutions, civil or criminal, wherein it is alleged or charged that any act, trade practice, or agreement is in violation of the provisions of either Title 126, Revised Civil Statutes of Texas, 1925, or any article under said title, or of Title 19, Penal Code of Texas, 1925, or any article under said title, it shall be a defense for the persons, firms, corporations, or associations of persons, or either one or more of them so sued or prosecuted, to establish that at the time of the commission of such act, and at the time said trade practice or agreement was agreed upon or entered into, such act, trade practice, or agreement was authorized under and by virtue of a code of fair competition, agreement, or license affecting interstate or intrastate commerce, or both, approved by the President of the United States, under the terms of the National Industrial Recovery Act for the particular industry in which such person, firm, corporation, or association of persons, or either one or more of them, is engaged. Provided, however, that nothing in this Act shall be construed or held to affect, in any manner, pending litigation or to destroy any rights of the State of Texas to recover fines or penalties, civil or criminal, whether sued upon or not, from any person, firm, corporation, or association of persons, or to prohibit the State from forfeiting the charter of any domestic corporation or the license or permit of any foreign corporation to do business in this State, or from enforcing any right or remedy given under Title 126, Revised Civil Statutes, 1925, or Title 19, Penal Code, 1925, for any act done or committed or for any practices performed or agreements entered into, unless the



same was done, performed, agreed upon, or entered into after the adoption and approval of a code of fair practice under the terms of the National Industrial Recovery Act authorizing and legalizing the particular act, trade practice, or agreement for the particular industry in which such person, firm, corporation, or association of persons is engaged.

"Sec. 2. This Act shall cease to be in effect on and after June 16, 1935.

"Sec. 3. If, as provided in Paragraph c, of Section 2, Title 1, of the National Industrial Recovery Act, the President shall, by proclamation, or the Congress of the United States shall, by joint resolution or bill, declare that the national emergency recognized by the National Industrial Recovery Act has ended, then this Act shall cease to be in effect on and after the date of such proclamation or congressional declaration. If, however, the provisions of this section should for any reason be held to be invalid and unconstitutional, then and in such event it is again provided that this Act shall cease to be in effect on and after June 16, 1935.

"Sec. 4. Any contract or agreement, of any kind or character whatsoever, which would be contrary to either Title 126, of the Revised Civil Statutes of Texas of 1925, or Title 19, of the Penal Code of Texas, 1925, or any part of either title as such exists at the time of the passage of this Act, shall be absolutely void and not enforceable either in law or in equity, if such contract or agreement extends beyond the expiration date of this Act.

"Sec. 5. Nothing in this Act shall be construed in any way to repeal or suspend Title 126, Revised Civil Statutes of Texas, 1925, or Title 19, Penal Code of Texas, 1925, or any part of either such titles.

"Sec. 6. The fact that there now exists in this State and throughout the United States a widespread condition of unemployment and a state of unrest, and the fact that this State desires to co-operate as far as possible with the Federal Government for the preservation of the general welfare of the people create an emergency and an imperative public necessity that the constitutional rule, requiring bills to be read on three several days in each House be, and the same is hereby, suspended, and this

Act shall take effect and be in force from and after its passage, and it is so enacted."

Mr. Vaughan offered the following amendment to the committee amendment:

Amend committee amendment No. 1 to House Bill No. 10 by striking out Section 4 thereof, and inserting the following:

"Section 4. Any contract, trade practice, or agreement of any kind or character whatsoever, entered into or agreed upon, the terms of which is authorized under and by virtue of a code of fair competition, agreement, or license, as provided under the National Industrial Recovery Act, but which are or would be contrary to either Title 126, Revised Civil Statutes of Texas, 1925, or Title 19, Penal Code of Texas, 1925, or any part of either title as such exist at the time of the passage of this Act, shall be absolutely void and unenforceable either in law or in equity if such contract or agreement extends beyond the expiration date of this Act, and the defense set forth in Section 1 hereof shall not be available thereto in either civil or criminal actions or suits. If the contract, trade practice, or agreement entered into or agreed upon is in violation of either Title 126 or Title 19, supra, or any part of either of said titles, and is not authorized under and by virtue of a code of fair competition, agreement, or license, as provided under the National Industrial Recovery Act, said contract or agreement shall be absolutely void and unenforceable from its inception."

HUGHES,  
MOORE,  
VAUGHAN,  
HANKAMER.

The amendment to the amendment was adopted.

Mr. McGregor offered the following amendment to the committee amendment:

Amend Section 4, of committee amendment No. 1, to House Bill No. 10 by adding thereto the following: "Provided that no act, trade practice, or agreement made and entered into by two or more parties shall be deemed or held to be unlawful unless such act, trade practice, or agreement was unreasonable."

The amendment by Mr. McGregor was lost.

Mr. Bradley offered the following substitute amendment for committee amendment No. 1:

Substitute for committee amendment No. 1 to House Bill No. 10 by striking out all below the enacting clause, and by substituting in lieu thereof the following:

"Section 1. A State-wide emergency, productive of widespread unemployment and disorganization of industry, which burdens commerce, the public welfare, and undermines the standards of living of the people of this State, is hereby declared to exist, and it is hereby recognized that such an emergency exists throughout the Nation. It is hereby declared to be the policy of this State to provide for the general welfare by co-operating with and assisting the National Government in promoting the organization of industry for the purpose of co-operative action among trade groups, to induce and maintain united action of labor and management under adequate governmental sanction and supervision, to eliminate unfair competitive practices, to promote the fullest possible utilization of the present productive capacity of industry, to avoid undue restriction of production (except as may be temporarily required) to increase the consumption of industrial and agricultural products by increasing purchasing power, to reduce and relieve unemployment, to improve standards of labor, and otherwise to rehabilitate industry and conserve natural resources, and otherwise as announced in the Act of Congress entitled 'An Act to encourage national industrial recovery, to foster fair competition, and to provide for the construction of certain useful public works, and for other purposes,' approved June 16, 1933, and commonly known as the 'National Industrial Recovery Act.'

"Sec. 2. To effectuate the policy of this Act, the Governor and the heads of each and every governmental department of the State, and municipal subdivisions of the State, are hereby authorized to consent that the President of the United States utilize State and local officers and employes in effectuating the policies of the National Industrial Recovery Act in accordance with the provisions of paragraph (a), of Section 2, of Title I, of that Act.

"Sec. 3. (a) No person, natural or artificial, shall refrain from complying with the provisions of any code of fair competition, agreement, or license, approved, prescribed, or issued under the terms of the National Industrial Recovery Act, or of any proclamation issued by the President thereunder, on the ground that he is not engaged in transactions in, or affecting, 'interstate or foreign commerce,' as defined in paragraph (d), of Section 7, of Title I, of the National Industrial Recovery Act.

"(b) The terms and conditions of any code of fair competition, agreement, or license approved, prescribed, or issued under the terms of the National Industrial Recovery Act for any trade or industry or subdivision thereof, or by any proclamation issued by the President under the authority thereof, shall be considered as the standards of fair competition for such trade or industry or subdivision thereof in all its transactions within this State except as hereinafter limited by this Act.

"Sec. 4. Any act or practice in violation of the terms of any code of fair competition, or the violation of any agreement or license approved, prescribed, or issued, under the terms of the National Industrial Recovery Act, or of any proclamation by the President under the terms thereof, shall be considered as an unfair method of competition.

"Sec. 5. The Attorney General of the State of Texas may institute a suit to restrain and enjoin any violation of any agreement or any provision thereof, and any person found to be violating the terms of any such code agreement, license, or proclamation, or any provision thereof, shall be enjoined from a continuation thereof, and shall be liable for such actual damages as the court or jury may find to be justified under the evidence; and in addition thereto, whether actual damages are proven or not, such person shall be subject to punitive damages in any sum not exceeding five hundred dollars for each violation, and each day of such violation shall be deemed separate violations. The district courts of this State are hereby invested with jurisdiction to entertain such suits.

"Sec. 6. In all suits, actions, or prosecutions, civil or criminal, where-

in it is alleged or charged that any act, trade practice, or agreement is in violation of the provisions of either Title 126, Revised Civil Statutes of Texas, 1925, or any article under said title, or of Title 19, Penal Code of Texas, 1925, or any article under said title, it shall be a defense for the persons, firms, corporations, or associations of persons, or either one or more of them so sued or prosecuted to establish that at the time of the commission of such act, and at the time said trade practice or agreement was agreed upon or entered into, such act, trade practice, or agreement was authorized under and by virtue of a code of fair competition, agreement, or license affecting interstate or intrastate commerce, or both, approved by the President of the United States, under the terms of the National Industrial Recovery Act, for the particular industry in which such person, firm, corporation, or association of persons, or either one or more of them, is engaged. Provided, however, that nothing in this Act shall be construed or held to affect, in any manner, pending litigation, or to destroy any rights of the State of Texas to recover fines or penalties, civil or criminal, whether sued upon or not, from any person, firm, corporation, or association of persons, or to prohibit the State from forfeiting the charter of any domestic corporation or the license or permit of any foreign corporation to do business in this State, or from enforcing any right or remedy given under Title 126, Revised Civil Statutes, 1925, or Title 19, Penal Code, 1925, for any act done or committed or for any practices performed or agreements entered into unless the same was done, performed, agreed upon, or entered into after the adoption and approval of a code of fair practice, under the terms of the National Industrial Recovery Act, authorizing and legalizing the particular act, trade practice, or agreement for the particular industry in which such person, firm, corporation, or association of persons is engaged.

"Sec. 7. In furtherance of the purposes and policies of this Act and of the National Industrial Recovery Act, any department of this State, and the governing body of any subdivision, municipal corporation, or district, and any public officer or person charged

with the letting of contracts for (1) the construction, alteration, or repair of public works, or (2) the purchasing of materials or supplies for public use, shall let such contracts only to those persons, natural or artificial, who agree in and by the terms of such contracts to use or supply only articles, materials, and supplies mined, produced, manufactured, or supplied by a person who is a party or subject to a code of fair competition, agreement, or license, approved, prescribed, or issued under the terms of the National Industrial Recovery Act in every case where a code of fair competition, agreement, or license has been approved, prescribed, or issued under the terms of the National Industrial Recovery Act for the trade or industry or subdivision thereof mining, producing, manufacturing, or supplying such articles, materials, or supplies. Any practices in violation of such terms of such contracts shall be deemed the use of unfair methods of competition within the meaning of this Act.

"Sec. 8. If any provision of this Act or the application thereof to any person or circumstances is held invalid, the remainder of this Act, and the application of such provision to other persons or circumstances, shall not be affected thereby.

"Sec. 9. This Act shall cease to be in effect on and after June 16, 1935.

"Sec. 10. If, as provided in Paragraph c, of Section 2, Title 1, of the National Industrial Recovery Act, the President shall, by proclamation, or the Congress of the United States shall, by joint resolution or bill, declare that the national emergency recognized by the National Industrial Recovery Act has ended, then this Act shall cease to be in effect on and after the date of such proclamation or congressional declaration. If, however, the provisions of this section should for any reason be held to be invalid and unconstitutional, then and in such event it is again provided that this Act shall cease to be in effect on and after June 16, 1935.

"Sec. 11. Any contract or agreement of any kind or character whatsoever which would be contrary to either Title 126, of the Revised Civil Statutes of Texas, of 1925, or Title 19, of the Penal Code of Texas, 1925, or any part of either title as such

exists at the time of the passage of this Act, shall be absolutely void and not enforceable either in law or in equity, if such contract or agreement extends beyond the expiration date of this Act.

"Sec. 12. Nothing in this Act shall be construed in any way to repeal or suspend Title 126, Revised Civil Statutes of Texas, 1925, or Title 19, Penal Code of Texas, 1925, or any part of either such title.

"Sec. 13. The fact that there now exists in this State and throughout the United States a widespread condition of unemployment and a state of unrest, and the fact that this State desires to co-operate as far as possible with the Federal Government for the preservation of the general welfare of the people create an emergency and an imperative public necessity that the constitutional rule, requiring bills to be read on three several days in each House, be, and the same is hereby, suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted."

Mr. Calvert moved to table the substitute amendment by Mr. Bradley.

The motion to table prevailed.

Question then recurring on the committee amendment offered by Mr. Vaughan, it was adopted.

Mr. Vaughan offered the following committee amendment to the bill:

Amend House Bill No. 10 by striking out all above the enacting clause, and inserting in lieu thereof the following:

"H. B. No. 10,

#### A BILL

#### To Be Entitled

An Act providing that in all suits, actions, or prosecutions under Title 126, Revised Civil Statutes of 1925, or Title 19, Penal Code of Texas, 1925, it shall be a defense for the persons, firms, corporations, or associations of persons, or either one or more of them so sued or prosecuted, to show that they are operating within the provisions, terms, and conditions of a code approved by the President of the United States under the terms of the National Industrial Recovery Act; providing that nothing in this

Act shall be construed or held to affect pending litigation or destroy rights of the State to recover penalties or fines from any person, firm, association of persons, or corporations, nor to prohibit the State from forfeiting the charter of any domestic corporation or the license or permit of any foreign corporation to do business in this State for any acts done or committed or for any practice performed or any agreements entered into which are not subject to the defense herein created and authorized; providing for the duration and termination of this Act; providing that any contract or agreement which would be contrary to either Title 126, Revised Civil Statutes, 1925, or Title 19, Revised Penal Code, 1925, or any part of either title as such exists at the time of the passage of this Act, shall be absolutely void and not enforceable if such contract or agreement extends beyond the expiration date of this Act; providing that nothing herein shall be construed in any way to repeal or suspend Title 126, Revised Civil Statutes, 1925, or Title 19, Penal Code of Texas, 1925, or any part of either of such titles, and declaring an emergency."

The amendment was adopted.

House Bill No. 10 was then passed to engrossment.

#### HOUSE BILL NO. 10 ON THIRD READING

Mr. Vaughan moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 10 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—125

Adamson.	Canon.
Aikin.	Caven.
Alexander.	Chastain.
Alsup.	Clayton.
Baker.	Coombes.
Barrett.	Cowley.
Barron.	Crossley.
Beck.	Daniel.
Bedford.	Davidson.
Bourne.	Dean.
Bradley.	Duvall.
Burns.	Engelhard.
Butler.	Fain.
Calvert.	Few.
Camp.	Fisher.

Ford.	Morse.
Fuchs.	Munson.
Glass.	Nicholson.
Golson.	Palmer.
Good.	Parkhouse.
Goodman.	Patterson.
Graves.	Pavlica.
Greathouse.	Pope.
Griffith.	Puryear.
Hankamer.	Ramsey.
Harris.	Ratliff.
Head.	Ray.
Hester.	Reed of Bowie.
Hicks.	Reed of Dallas.
Hill of Brazoria.	Renfro.
Hill of Webb.	Riddle.
Hodges.	Roberts.
Holland.	Rogers of Hunt.
Hoskins.	Rogers
Huddleston.	of Ochiltree.
Hughes.	Rollins.
Hunt.	Ross.
Hyder.	Russell.
James.	Savage.
Johnson	Scarborough.
of Anderson.	Scott.
Jones of Atascosa.	Shannon.
Jones of Runnels.	Shults.
Jones of Shelby.	Stanfield.
Kyle of Hays.	Steward.
Kyle of Palo Pinto.	Stinson.
Laird.	Stovall.
Latham.	Stubbeman.
Lemens.	Sullivant.
Leonard.	Tarwater.
Long.	Tennyson.
Lotief.	Thomas.
Mackay.	Tillery.
Magee.	Townsend.
Mathis.	Turlington.
McClain.	Vaughan.
McCullough.	Wagstaff.
McKee.	Walker.
Merritt.	Weinert.
Metcalfe.	Wells.
Mitcham.	Winningham.
Moffett.	Wood.
Moore.	Young.
Morrison.	

## Nays—5

Devall.	McGregor.
Holekamp.	Van Zandt.
Lindsey.	

## Absent

Anderson.	Harrison.
Cathey.	Hartzog.
Celaya.	Holloway.
Colson.	Jackson.
Dunlap.	Jefferson.
Dunagan.	Smith.
Dwyer.	

## Absent—Excused

Harman.	Kayton.
Johnson	McDougald.
of Dimmit.	Reader.

The Speaker then laid House Bill No. 10 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

## Yeas—118

Adamson.	Long.
Aikin.	Lotief.
Alexander.	Mackay.
Alsup.	Magee.
Baker.	McClain.
Barrett.	McCullough.
Barron.	McGregor.
Beck.	McKee.
Bedford.	Merritt.
Bourne.	Mitcham.
Bradley.	Moffett.
Butler.	Moore.
Calvert.	Morrison.
Camp.	Morse.
Canon.	Munson.
Caven.	Nicholson.
Chastain.	Palmer.
Clayton.	Parkhouse.
Crossley.	Patterson.
Daniel.	Pavlica.
Davidson.	Pope.
Dean.	Ramsey.
Dunagan.	Ratliff.
Engelhard.	Ray.
Fain.	Reed of Bowie.
Few.	Reed of Dallas.
Fisher.	Renfro.
Ford.	Riddle.
Fuchs.	Roberts.
Glass.	Rogers of Hunt.
Golson.	Rogers of Ochiltree.
Good.	Rollins.
Goodman.	Ross.
Graves.	Russell.
Griffith.	Savage.
Hankamer.	Scarborough.
Harris.	Scott.
Hartzog.	Shannon.
Head.	Shults.
Hester.	Stanfield.
Hill of Brazoria.	Steward.
Hill of Webb.	Stinson.
Hodges.	Stovall.
Holland.	Stubbeman.
Hoskins.	Sullivant.
Huddleston.	Tarwater.
Hughes.	Tennyson.
Hyder.	Thomas.
Jackson.	Tillery.
James.	Townsend.
Jones of Atascosa.	Turlington.
Jones of Runnels.	Vaughan.
Jones of Shelby.	Wagstaff.
Kyle of Hays.	Walker.
Kyle of Palo Pinto.	Weinert.
Laird.	Wells.
Latham.	Winningham.
Lemens.	Wood.
Leonard.	Young.

## Nays—12

Burns.	Johnson
Coombes.	of Anderson.
Cowley.	Lindsey.
Devall.	Metcalfe.
Hicks.	Purveyer.
Holekamp.	Van Zandt.
Hunt.	

## Present—Not Voting

Greathouse.

## Absent

Anderson.	Dwyer.
Cathey.	Harrison.
Celaya.	Holloway.
Colson.	Jefferson.
Dunlap.	Mathis.
Duvall.	Smith.

## Absent—Excused

Harman.	Kayton.
Johnson	McDougald.
of Dimmit.	Reader.

## MESSAGE FROM THE SENATE

Senate Chamber,

Austin, Texas, September 27, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. B. No. 15, A bill to be entitled "An Act authorizing and directing the administrative or governing authorities of the public educational institutions of this State to except and exempt from the payment of all dues, fees, and charges, except for board and clothing, all citizens of Texas who served as nurses or in the armed forces of the United States during the World War or during the Spanish-American War, and who were honorably discharged therefrom, and giving said citizens a preferential right to be admitted to the benefits of said institutions; providing the provisions of this Act shall apply to those students herein exempted that have registered and paid fees for the 1933-34 term, and declaring an emergency." (With amendments.)

The Senate has adopted

S. C. R. No. 9, Extending an invitation to Hon. James A. Farley, Postmaster General of the United States, to be the guest of official Texas at a date fixed by him on the occasion of his visit to Texas during the month of October.

Respectfully,

BOB BARKER,  
Secretary of the Senate.

## HOUSE BILL NO. 15 WITH SENATE AMENDMENTS

Mr. Laird called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 15, A bill to be entitled "An Act authorizing and directing the administrative or governing authorities of the public educational institutions of this State to except and exempt from the payment of all dues, fees, and charges, except for board and clothing, all citizens of Texas who served as nurses or in the armed forces of the United States during the World War or during the Spanish-American War and who were honorably discharged therefrom, and giving said citizens a preferential right to be admitted to the benefits of said institutions; etc., and declaring an emergency."

The Speaker laid the bill before the House, with the Senate amendments.

Mr. Laird moved that the House do not concur in the Senate amendments, and that a conference committee be requested to adjust the differences between the two Houses on the bill.

The motion prevailed.

## CONFERENCE COMMITTEE ON HOUSE BILL NO. 15

The Speaker announced the appointment of the following conference committee on House Bill No. 15: Messrs. Laird, Chastain, Wells, James, and Aikin.

## ADJOURNMENT

On motion of Mr. Camp, the House, at 4:40 o'clock p. m., adjourned until 10 o'clock a. m., tomorrow.

## APPENDIX

## STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills, as follows:

State Affairs: House Bills Nos. 9, 35, and 37.

Conservation and Reclamation: House Bill No. 45.

Counties: House Bill No. 56.

Common Carriers: House Bill No. 63.

Penitentiaries: House Bill No. 46.

REPORT OF THE COMMITTEE ON  
ENGROSSED BILLS

Committee Room,  
Austin, Texas, September 26, 1933.

Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: Your Committee on Engrossed  
Bills, to whom was referred

H. B. No. 17, A bill to be entitled  
"An Act amending Chapter 220, Acts  
of the Forty-third Legislature, Regu-  
lar Session, page 734, by adding  
thereto Section 5-a; Article 3886-a,  
providing for the maximum compen-  
sation of district attorneys and  
county attorneys in all counties of  
this State having a population of one  
hundred thousand and one (100,001)  
and not more than one hundred and  
fifty thousand (150,000) inhabitants,  
and containing a city having a popu-  
lation in excess of seventy-five thou-  
sand (75,000) inhabitants, according  
to the last preceding Federal Census;  
providing for the appointment and  
compensation of assistant district at-  
torneys, stenographers, and investi-  
gators in the district attorney's office,  
and for expense of such office in such  
counties; providing for the appoint-  
ment, duties, qualifications, and com-  
pensation of assistant county attor-  
neys in such counties; repealing all  
laws and parts of laws in conflict her-  
ewith; providing that this Act shall  
become effective on and after Janu-  
ary 1, 1934, and declaring an emer-  
gency,"

Has carefully compared same, and  
finds it correctly engrossed.

HYDER, Vice-Chairman.

Committee Room,  
Austin, Texas, September 26, 1933.

Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: Your Committee on Engrossed  
Bills, to whom was referred

H. B. No. 30, A bill to be entitled  
"An Act to provide for creating a  
firemen, policemen, and fire alarm  
operators' pension fund in all in-  
corporated cities and towns in this  
State having a population of more  
than two hundred and forty thousand  
(240,000) inhabitants and less than  
two hundred and seventy-five thou-  
sand (275,000) inhabitants, according  
to the last preceding Federal Census,  
having a paid fire, police, and fire

alarm operators' department; creat-  
ing a board of trustees for the same;  
defining the duties and powers of the  
trustees thereof; describing the per-  
sons entitled to receive pensions;  
providing for a deduction from the  
salaries of all firemen, policemen, and  
fire alarm operators who desire to  
participate in said funds when en-  
titled thereto under the term of this  
Act for the purpose of creating said  
fund, and for other sources of revenue  
therefor; defining the duties of the  
treasurer of any such city or town  
in respect to said fund; providing the  
method of disbursement of said funds,  
and providing that such pension fund  
shall be exempt from judgment and  
garnishment, and declaring an emer-  
gency,"

Has carefully compared same, and  
finds it correctly engrossed.

HYDER, Vice-Chairman.

Committee Room,  
Austin, Texas, September 26, 1933.

Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: Your Committee on Engrossed  
Bills, to whom was referred

H. B. No. 18, A bill to be entitled  
"An Act to amend Article 3886, of  
the Revised Civil Statutes of 1925,  
as amended by Chapter 220, Acts of  
the Regular Session of the Forty-  
third Legislature, by reducing in the  
aggregate the amount of salaries of  
employees in the office of the criminal  
district attorneys in counties having  
a population in excess of three hun-  
dred and fifty-five thousand (355,000)  
inhabitants, and fixing the compensa-  
tion of such employees so as to pro-  
vide an adequate staff for said offices  
in said counties, providing for the  
payment of certain of said employees  
by said counties from the general  
funds of such counties, and providing  
for the payment of the salaries of  
certain of said employees out of the  
excess fees collected by such criminal  
district attorneys, and providing that  
said employees compensated out of  
such fees shall be appointed by such  
criminal district attorneys with the  
advice and consent of the com-  
missioners courts of such counties,  
and that such employees so com-  
pensated, before qualifying and en-  
tering upon the duties of such office  
and employment, shall be approved  
as to number and salaries by said  
commissioners courts, and repealing

all laws and parts of laws in conflict herewith; providing for the effective date of the Act, and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

HYDER, Vice-Chairman.

Committee Room,  
Austin, Texas, September 26, 1933.  
Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 31, A bill to be entitled "An Act to provide for creating a municipal employees' pension fund in all incorporated cities and towns in this State having a population of more than one hundred thousand (100,000) inhabitants and less than one hundred and thirty thousand (130,000) inhabitants, according to the last preceding Federal Census, in counties containing more than nine hundred (900) square miles; creating a board of trustees for the same; defining the duties and powers of the trustees thereof; describing the persons entitled to receive pensions; providing for a deduction from the salaries of all municipal employees who desire to participate in said funds when entitled thereto under the terms of this Act for the purpose of creating said fund, and for other sources of revenue therefor; defining the duties of the treasurer of any city or town in respect to said fund; providing the method of disbursement of said funds, and providing that such pension fund shall be exempt from judgment and garnishment, and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

HYDER, Vice-Chairman.

#### REPORT OF THE COMMITTEE ON ENROLLED BILLS

Committee Room,  
Austin, Texas, September 27, 1933.  
Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 30, "An Act to provide for creating a firemen, policemen, and fire alarm operators' pension fund in all incorporated cities and towns in this State having a population of more than two hundred and forty

thousand (240,000) inhabitants and less than two hundred and seventy-five thousand (275,000) inhabitants, according to the last preceding Federal Census, having a paid fire, police, and fire alarm operators' department; creating a board of trustees for the same; defining the duties and powers of the trustees thereof; describing the persons entitled to receive pensions; providing for a deduction from the salaries of all firemen, policemen, and fire alarm operators who desire to participate in said funds when entitled thereto under the term of this Act for the purpose of creating said fund, and for other sources of revenue therefor; defining the duties of the treasurer of any such city or town in respect to said fund; providing the method of disbursement of said funds, and providing that such pension fund shall be exempt from judgment and garnishment, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ROGERS of Hunt, Chairman.

Committee Room,  
Austin, Texas, September 27, 1933.  
Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 28, "An Act to amend Article 1970-125, of the Revised Civil Statutes of Texas, 1925, providing for the election of a Special Judge of the County Court of Jefferson County at Law; providing for the compensation for such Special Judge, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ROGERS of Hunt, Chairman.

#### ELEVENTH DAY

(Thursday, September 28, 1933)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Stevenson.

The roll was called, and the following Members were present.

Mr. Speaker.	Baker.
Adamson.	Barrett.
Aikin.	Barron.
Alexander.	Beck.
Alsup.	Bedford.
Anderson.	Bourne.